

### REMARKS

While the Applicant does not accept the definition of "crash" set forth in the office action, that definition does call for a computer failure where the computer itself stops working or a program aborts unexpectedly.

It is suggested that Reinhardt teaches an element which is not taught in the other cited references. Thus, to the extent that the Applicant shows Reinhardt fails to teach what it is cited as teaching, the Applicant is addressing the references individually. When a reference is cited for a specific item, and that reference does not show that item, then the combination of references fails to make out a *prima facie* rejection. Here, it is conceded that all of the references, except Reinhardt, fail to teach "shutting down a capture board, which is a computer peripheral, in response to detecting a crash." Thus, if Reinhardt does not teach this, a *prima facie* rejection is not made out.

Reinhardt teaches a clean room system. That clean room includes a number of stands. See Reinhardt at column 3, lines 37-42. Thus, the failure that is detected in Reinhardt is filter fans in a clean room. The assertion that the failure of these fans to operate correctly amounts to a computer crash fails to meet any accepted definition of what is a crash and fails to meet the definition set forth in the office action. The failure of the filter is not the failure of a computer peripheral or the computer. It is the failure of a fan being monitored by a computer-type device. The fact that the computer shuts off the fan which it is monitoring is not shutting down a video capture board by any stretch of anyone's imagination, and it is not the shutting down of a computer peripheral by any reasonable definition.


The assertion that a cooling fan is a peripheral device is, quite frankly, a stretch beyond all reasonable bounds. The assertion that the computer shuts off power to the device to prevent further damage is noted, but this certainly does not teach shutting off power to a capture card for the reasons set forth in the present application. One skilled in the art would get nothing out of a teaching that a fan that has a mechanical failure should be shut off to prevent damage.

In Reinhardt, no crash is detected. A fan, which is being monitored by the computer, has a mechanical failure and that failure is detected and the fan may be shut down. But that failure does not amount to a computer system crash. Moreover, the fan cannot in any way be called a television capture card or anything comparable thereto.

In short, the cited reference is irrelevant to the claimed invention. Therefore, a *prima facie* rejection is not made out and reconsideration is earnestly solicited.

Respectfully submitted,

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